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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,799	09/10/2003	Seong-Jin Moon	1293.1723	1813
49455 7590 03/13/2008 STEIN, MCEWEN & BUI, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005				
EXAMINER				
TOPGYAL, GELEK W				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
03/13/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/658,799

**Applicant(s)**

MOON ET AL.

**Examiner**

GELEK TOPGYAL

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28, 39 and 40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28, 39 and 40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The 35 USC 101 rejections on claims 1-21 and 39 have been overcome by the present amendment.

### ***Response to Arguments***

2. Applicant's arguments filed 12/12/2007 have been fully considered but they are not persuasive.

3. In re pages 1-2 of the remarks, the applicants present the argument that there is no suggestion that such a script file (HTML data stored in SFZ of the medium) indicates a particular relationship between a particular VOB and a larger title of the VOB and that the system of Cho does not describe attribute information on the record unit and information defining a relationship between the record unit and the reproduction unit.

4. In response, the examiner respectfully disagrees. First of all, the applicants rely on the specification in relation to "a particular relationship between a particular VOB and a larger title of the VOB", which cannot be factored into the interpretation of the claim language. Secondly, the applicants are directed to the teachings of Figures 8-9 and its respective disclosure which clearly teaches that the script files (and its names) are used to define the moment the script files are to be reproduced along with the audio/video data stored in the data zone. This clearly teaches of "information defining a relationship between the record unit and the reproduction unit".

5. In re page 2 of the remarks, the applicants present the argument that the NDZ of Cho is within the same layer as the DZ since the DZ and NDZ utilize a conventional DVD recording standard.

Art Unit: 2621

6. In response, the examiner respectfully disagrees. It is understood that the system of Cho uses a DVD as the recording medium of choice, however, the claim only recites language for ***only the storage*** of the navigation data and the multimedia data in different layers. It is clearly taught in paragraph 29 and Figure 1, wherein the system allows for the navigation data (NDZ), script files (SFZ) and the main data (DZ) in ***“three recording partitions”***. Therefore, it is clear that the navigation data and the multimedia data are stored in separate layers.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-2, 7-16, 22, 24-25, 39 and 40** are rejected under 35 U.S.C. 102(e) as being anticipated by Cho et al. (US 2002/0176693).

9. **Regarding claim 1**, Cho et al. teaches a computer readable multimedia data storage medium for use with a recording and/or reproducing apparatus, comprising:

a first layer storing multimedia data (Fig. 1, Data Zone); and

a second layer which, when the multimedia data is divided into a record unit and a reproduction unit (the area where audio and video data is recorded (Fig. 1, Data Zone) functions as the location where multimedia data is “recorded” and later

"reproduced" from), includes information on attributes of the record unit and information defining a relationship between the record unit and the reproduction unit (Figures 8-9 and its respective disclosure teaches that the script files (and its names) are used to define the moment the script files are to be reproduced along with the audio/video data stored in the data zone),

wherein the information on the attributes and the information defining the relationship are described with a markup language (Figs. 1, 8-9 and paragraph 31 teaches Script File Zone (SFZ) stores script files in the form of HTML files. The script files includes information of the audio and video data that is recorded on the medium in the "record" and "reproduced" unit) and the recording and/or reproducing apparatus uses the multimedia data of the first layer based on the information on the attributes and the information defining the relationship (Figures 8-9 and its respective disclosure which clearly teaches that the script files (and its names) are used to define the moment the script files are to be reproduced along with the audio/video data stored in the data zone).

**Regarding claim 2**, Cho et al. teaches the claimed wherein the multimedia data recorded on the first layer is video object data, still image data, or audio data (The Data Zone as discussed above records video and audio data).

**Regarding claim 7**, Cho et al. teaches the limitations as discussed in claim 1 above, and furthermore, as seen in Fig. 4, the structure of the video information stored on the disc is hierarchical in nature. E.g. multiple VOBUs comprise a VOB unit, and multiple VOB units comprise a PGCI unit.

**Claim 8** is rejected for the same reasons as discussed in claim 7 above.

**Regarding claims 9 and 10**, Cho et al. teaches wherein the reproduction unit has three layers comprising a cell (Fig. 4, VOBu units are stored in sectors (inherent data block of optical discs)), which designates the record unit or a portion of the record unit, a chapter (Fig. 4, VOB units), and a title (Fig. 4, PGCI) linked to the chapter.

**Regarding claims 11 and 12**, Cho et al. teaches the claimed wherein the information described using the markup language comprises a clip (Fig. 4, VOBu units), the cell (Fig. 4, VOBu units are stored in sectors (inherent data block of optical discs)), the chapter (Fig. 4, VOB units) and the title (Fig. 4, PGCI unit).

**Regarding claims 13-15**, Cho et al. teaches that the navigation data stored in Navigation Data Zone (NDZ) controls the reproduction of the reproduction sequence stored on the disc. Figures 2 and 3 show an example of navigation information that is used during reproduction of the stored sequence on the disc.

**Regarding claim 16**, Cho et al. teaches a computer readable multimedia data storage medium for use with a recording and/or reproducing apparatus, comprising:

a first layer storing multimedia data (Fig. 1, Data Zone); and

a second layer which, when the multimedia data is divided into a record unit and a reproduction unit (the area where audio and video data is recorded (Fig. 1, Data Zone) functions as the location where multimedia data is "recorded" and later "reproduced" from), includes information of attributes of the record unit and information defining a relationship between the record unit and the reproduction unit described in a table format (Figs. 1, 8-9 and paragraph 31 teaches Script File Zone (SFZ) stores script

Art Unit: 2621

files in the form of HTML files. The script files includes information of the audio and video data that is recorded on the medium in the "record" and "reproduced" unit. The script files are stored in a table format as illustrated in Figures 8-9) and the recording and/or reproducing apparatus uses the multimedia data of the first layer based upon the information on the attributes and the information defining the relationship (Figures 8-9 and its respective disclosure which clearly teaches that the script files (and its names) are used to define the moment the script files are to be reproduced along with the audio/video data stored in the data zone); and

a third layer storing navigation data of a selection of the reproduction unit and reproduction sequence which the recording and/or reproducing apparatus uses to use the multimedia data of the first layer(Fig. 1, Navigation Data Zone (NDZ) includes navigation information to reproduce a particular title stored on the DVD).

**Apparatus claim 22** is rejected for the same reasons as discussed in medium claim 16 above, and furthermore, a user manipulates the disc to reproduce the audio and video data stored thereon.

**Apparatus claim 24** is rejected for the same reasons as discussed in claim 16 above.

**Apparatus claim 25** is rejected for the same reasons as discussed in medium claim 16 and apparatus claim 22 above.

**Medium claim 39 and apparatus claim 40** are rejected for the same reasons as discussed in claim 16 above, and furthermore, the Navigation data stored in the Navigation Data Zone (NDZ) and as illustrated in Figures 2-3 and 5 (and supporting

disclosure) teaches that the playback of the multimedia data stored is controlled by the Navigation data.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 3-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al. (US 2002/0176693) in view of Fujinami et al. (US 5,455,684).

**Regarding claim 3**, Cho et al. teaches the claimed wherein the when the multimedia data is video object data, the multimedia data is coded at a variable bit rate (VBR) (an inherent feature of DVD formats, wherein data recorded thereon can be recorded with VBR or with CBR), however fails to particularly teach a reproduction time and linkage information of a position of reproduction data are described as temporal and position information, where the reproduction time and the linkage information are in a table format and recorded on the first layer.

In an analogous art, Fujinami et al. teaches in Fig. 14 and 19 of an entry packet header stored within a GOP unit for defining locations of the three next and the three previous locations of GOPs (-3, -2, -1, +1, +2, +3). This meets the claimed limitation of reproduction time and linkage information stored in a table format.



The system of Cho et al. has inherent features for fast forward and fast rewind, but is not explicitly stated. Figures 4, 8 and 9 shows the format of the medium wherein VOB and VOBu units are stored. The each VOBu unit can store one or more GOPs.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to link a GOP unit with the next and previous GOP locations as taught in Fujinami et al. into the system of Cho et al. in order improve fast forward or fast rewind search.

**Regarding claims 4-6**, the proposed combination of Cho et al. and Fujinami et al. teaches the limitations as discussed in claim 3 above, and furthermore, Fujinami et al. teaches wherein the record unit comprises a clip (GOP) made by linking the video object data to the temporal and position information (As discussed in claim 3 above, the GOPs meet the claimed "clip" which is linked to by the address information of the three next and the three previous start of GOP). Furthermore, the GOPs (VOBUs in Cho et al.) are stored within the medium, which as discussed in claim 1 above, includes both the "record" and "reproduction" unit.

12. **Claims 17-21, 23, 26-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al. (US 2002/0176693) in view of Niranjani et al. (US 2004/0046778).

**Regarding claim 17**, Cho et al. teaches the limitations as discussed in claim 16 above, however, fails to particularly teach wherein the navigation data stored in the third layer is a script language that is interpreted and executed.

In an analogous art, Nirranjan et al. teaches in paragraphs 36-45 wherein navigation data in the form of XML (script/markup language) information can be stored locally on a PVR.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to store navigation information in the form of markup language, as taught in Nirranjan into the navigation data zone of Cho et al. so that devices using markup language as a standard of data can recognize the data and thereby reproduce information stored thereon.

**Claim 18** is rejected for the same reasons as discussed in claim 17 above, and furthermore, to allow for features of regular playback, and furthermore the features as discussed in paragraph 51 requires "timing and synchronization functions" in the like of time stamps so that audio and video information are presented in synchronization.

**Regarding claim 19**, it is rejected for the same reasons as discussed in claim 18 above, and furthermore, Nirranjan teaches the claimed wherein presentation data is described with a markup language and stored in the third layer, and comprises information for a layout of a menu screen (Paragraph 51) and a screen structure of the reproduction unit (Paragraph 51).

**Claim 20** is rejected for the same reasons as discussed in claim 19 above.

**Claim 21** is rejected for the same reasons as discussed in claim 19 above, and furthermore, paragraph 36 teaches of event/scripting information 275.

**Apparatus claim 23** is rejected for the same reasons as discussed in claims 9 and 19 above.

**Apparatus claim 26** is rejected for the same reasons as discussed in claim 17 above.

**Apparatus claim 27** is rejected for the same reasons as discussed in claim 18 above.

**Apparatus claim 28** is rejected for the same reasons as discussed in claim 19 above.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **GELEK TOPGYAL** whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/  
Examiner, Art Unit 2621

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